AN APOLOGY

FOR SOME OF

MR. HOOKE'S OBSERVATIONS

CONCERNING

THE ROMAN SENATE.

WITH

AN INDEX TO THE OBSERVATIONS.

BY MR. BOWYER.

TO WHICH ARE PREFIXED,

SOME HINTS TOWARDS A LIFE OF MR. HOOKE.

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HINTS TOWARDS A LIFE OF MR. HOOKE.

THE great abilities of Mr. NATHANIEL HOOKE, and the high rank he juſtly holds in the Republick of Letters, demand a much more particular account of him than I am able to ſupply. The earlieſt particulars of his life that I have met with are furniſhed by himſelf, in a modeſt, but manly, addreſs to the Earl of Oxford, dated Oct. 17, 1722 *.

" MY LORD,

" The firſt time I had the honour to wait upon your Lordſhip ſince " your coming to London, your Lordſhip had the goodneſs to aſk me, " what way of life I was then engaged in; a certain *mauvaiſe honte* hin- " dered me at that time from giving a direct anſwer. The truth is, my " Lord, I cannot be ſaid at preſent to be in any form of life, but rather " to live extempore. The late epidemical diſtemper ſeized me †, I " endeavoured to be rich, imagined for a while that I was, and am in " ſome meaſure happy to find myſelf at this inſtant but juſt worth nothing. " If your Lordſhip, or any of your numerous friends, have need of a " ſervant, with the bare qualifications of being able to read and write, and " to be honeſt, I ſhall gladly undertake any employments your Lordſhip " ſhall not think me unworthy of. I have been taught, my Lord, that " neither a man's natural pride, nor his ſelf-love, is an equal judge of what " is fit for him; and I ſhall endeavour to remember, that it is not the " ſhort part we act, but the manner of our performance, which gains or " loſes us the applauſe of him who is finally to decide of all human acti- " ons. My Lord, I am juſt now employed in tranſlating, from the French, " a Hiſtory of the Life of the late Archbiſhop of Cambray; and I was " thinking to beg the honour of your Lordſhip's name to protect a work " which will have ſo much need of it. The original is not yet publiſhed. " 'Tis written by the author of the 'Diſcourſe upon Epic Poetry,' in the " new edition of *Telemaque*. As there are ſome paſſages in the book of a

* Firſt publiſhed in the Anecdotes of Mr. Bowyer, whence theſe hints are principally extracted.

† The South Sea infatuation; which had equally ſeized his friends Pope and Gay.

" particular nature, I dare not ſolicit your Lordſhip to grant me the fa-
" vour I have mentioned, till you firſt have peruſed it. The whole is
" ſhort, and pretty fairly tranſcribed. If your Lordſhip could find a
" ſpare hour to look it over, I would wait upon your Lordſhip with it,
" as it may poſſibly be no unpleaſing entertainment. I ſhould humbly
" aſk your Lordſhip's pardon for ſo long an addreſs in a ſeaſon of ſo much
" buſineſs. But when ſhould I be able to find a time in which your Lord-
" ſhip's goodneſs is not employed? I am, with perfect reſpect and duty,
" my Lord, your Lordſhip's moſt obliged, moſt faithful, and moſt obe-
" dient humble ſervant,

" NATHANIEL HOOKE."

The tranſlation here ſpoken of was afterwards printed in 12mo, 1723. From this period till his death Mr. Hooke enjoyed the confidence and potronage of men not leſs diſtinguiſhed by virtue than by titles.

In 17... he publiſhed in 4to, a tranſlation of " Ramſay's Travels of " Cyrus," which (as Dr. King, late principal of St. Mary Hall in Oxford, informed Dr. Warton) was made at Dr. Cheyne's houſe at Bath, and that he himſelf had often been Mr. Hooke's amanuenſis on the occaſion, who dictated his tranſlation to him with uncommon facility and rapidity.

In 1733 he reviſed a tranſlation of " The Hiſtory of the Conqueſt of " Mexico by the Spaniards, by Thomas Townſend, Eſq." printed in two volumes, 8vo *.

In the ſame year he publiſhed, in 4to, the firſt volume † of the " Ro-
" man Hiſtory, from the building of Rome to the ruin of the Common-
" wealth; illuſtrated with maps and other plates." In the dedication to this volume, Mr. Hooke took the opportunity of " publicly teſtifying " his juſt eſteem for a worthy friend ‡ to whom he had been long and " much

* Firſt printed in 1724. fol.

† A third edition of this volume was printed in 1757.

‡ This friendſhip extended to the cloſe of our Engliſh Homer's life. " Pope, ſays Dr. Johnſon, " expreſſed undoubting confidence of a future ſtate. Being aſked by his " friend Mr. Hooke, a papiſt, whether he would not die like his father and mother, " and whether a prieſt ſhould not be called, he anſwered, *I do not think it eſſential, but, " it will be very right; and I thank you for putting me in mind of it.*" Mr. Hooke, on this occaſion, told Dr. Warburton, " that the prieſt, whom he had provided to do " the laſt office to the dying man, came out from him, penetrated to the laſt degree " with the ſtate of mind in which he found his penitent; reſigned and wrapt up in the " love of God and man." The prieſt had ſcarce departed, when Bolingbroke, coming over

" much obliged," by telling Mr. Pope that the diſplaying of his name at the head of thoſe ſheets was " like hanging out a ſplendid ſign, to catch " the traveller's eye, and entice him to make trial of the entertainment " the place affords. But," he proceeds, " when I can write under my " ſign that Mr. Pope has been here, and was content, who will queſtion " the goodneſs of the houſe?" The volume is introduced by " Remarks " on the Hiſtory of the Seven Roman Kings, occaſioned by Sir Iſaac New- " ton's Objections to the ſuppoſed 244 years duration of the Royal State " of Rome."

His nervous pen was next employed in digeſting " An Account of the " Conduct of the Dowager Dutcheſs of Marlborough, from her firſt com- " ing to Court, to the Year 1710. In a Letter from Herſelf to Lord " ——, 1742." 8vo. His reward, on this occaſion, was conſiderable; " and the reputation he acquired by the performance much greater. The " circumſtances of the tranſaction are thus related by Dr. Maty*: " The

over from Batterſea, flew into a great fit of paſſion and indignation on the occaſion. It is known that Bolingbroke concealed from Pope his real opinions. He once diſcovered them to Mr. Hooke, who related them again to Pope, and was told by him that he muſt have miſtaken the meaning of what he heard; and Bolingbroke, when Pope's uneaſineſs incited him to deſire an explanation, declared that Hooke had miſunderſtood him.

* See his " Memoirs of Lord Cheſterfield," 4to, vol. I. p. 116.—As Ruffhead's account of this tranſaction is ſomewhat different, it may be pleaſant to compare it with Dr. Maty's: " This gentleman [Hooke] ſeems to have poſſeſſed no ſmall ſhare of Mr. " Pope's eſteem and friendſhip. His ſolicitude to do him ſervice is ſtrongly exemplified " in the following anecdote: The firſt Dutcheſs of Marlborough was deſirous of having " an account of her public conduct given to the world. Mr. Hooke, a Roman Catholic " in the myſtic way, and compiler of the Roman Hiſtory, was by Mr. Pope and others, " recommended to her Grace, as a proper perſon to draw up this account, under her " inſpection; and, by the aſſiſtance of the papers ſhe communicated to him, he per- " formed this work ſo much to her Grace's ſatisfaction, that ſhe talked of rewarding " him largely, but would do nothing till Mr. Pope came to her, whoſe company ſhe " then ſought all opportunities to procure, and was uneaſy to be without it. He was " at that time with ſome friends, whom he was unwilling to part with, a hundred miles " diſtant. But at Mr. Hooke's earneſt ſolicitation, when Mr. Pope found his preſence " ſo eſſentially concerned in his friend's intereſt and future ſupport, he broke through " all his engagements, and in the depth of winter, and ill ways, flew to his aſſiſtance. " On his coming, the Dutcheſs ſecured to Mr. Hooke five thouſand pounds; and by " that means attached him to her ſervice. But ſoon after ſhe took occaſion, as was " uſual with her, to quarrel with him.

" Her every turn by violence purſued,
" Nor more a ſtorm her hate, than gratitude.

" Thus Mr. Hooke repreſented the matter. The reaſon ſhe gave of her ſudden diſlike " of

" The Relict of the great Duke of Marlborough being deſirous of ſub-
" mitting to poſterity her political conduct, as well as her Lord's, ap-
" plied to the Earl of Cheſterfield for a proper perſon to receive her in-
" formation, and put the memoirs of her life into a proper dreſs. Mr.
" Hooke was recommended by him for that purpoſe. He accordingly
" waited upon the Dutcheſs, while ſhe was ſtill in bed, oppreſſed by
" the infirmities of age. But, knowing who he was, ſhe immediately got
" herſelf lifted up, and continued ſpeaking during ſix hours. She deli-
" vered to him, without any notes, her account in the moſt lively as
" well as the moſt connected manner. As ſhe was not tired herſelf, ſhe
" would have continued longer the buſineſs of this firſt ſitting, had ſhe
" not perceived that Mr. Hooke was quite exhauſted, and wanted refreſh-
" ment as well as reſt. So eager was ſhe for the completion of the
" work, that ſhe inſiſted upon Mr. Hooke's not leaving her houſe till he
" had finiſhed it. This was done in a ſhort time; and her Grace was ſo
" well pleaſed with the performance, that ſhe complimented the author
" with a preſent of five thouſand pounds, a ſum which far exceeded
" his expectations. As ſoon as he was free, and permitted to quit the
" houſe of his benefactreſs, he haſtened to the Earl, to thank him for his
" favour, and communicated to him his good fortune. The perturbation
" of mind he was under, occaſioned by the ſtrong ſenſe of his obligation,
" plainly appeared in his ſtammering-out his acknowledgements; and
" he, who had ſucceeded ſo well as the interpreter of her Grace's ſenti-
" ments, could ſcarcely utter his own."

" The Dutcheſs of Marlborough," ſays Dr. Warton, " rewarded Hooke
" with five thouſand pounds for his trouble in writing her " Account;"
" but quarrelled with him afterwards, becauſe, as ſhe affirmed, he attempted

" of him, was his attempt to pervert her to Popery. This is not without probability;
" for he, finding her Grace (as appears from the Account of her Conduct) without any
" religion, might think it an act of no common charity to give her his own."—Speak-
ing of Mr. Hooke, who had then lately been promoted, Mr. Pope ſays " He begins to feel
" the effects of a court-life, the dependance on the great, who never do good, but with
" a view to make ſlaves." And in a letter to Mr. Allen, he tells him, " I can never
" enough thank you, my dear and true friend, for every inſtance of your kindneſs. At
" preſent, I am loaded with them, but none touch me more ſenſibly, than your attempts
" for Mr. Hooke; for I am really happier in ſeeing a worthy man eaſed of the burthen
" which Fortune generally lays ſuch men under, as have no talents to ſerve the bad and
" the ambitious; than in any pleaſures of my own, which are but idle at beſt." In
his laſt will, he gave five pounds to Mr. Hooke, to be laid out in a ring, or any other
memorial. See Ruffhead's Life of Pope.

" to

" to convert her to Popery. Hooke was a Myſtic, and a Quietiſt, and a " warm diſciple of Fenelon."

The ſecond volume * of his " Roman Hiſtory" appeared in 1745; when Mr. Hooke embraced the fair occaſion of congratulating his worthy friend the Earl of Marchmont, on " that true glory, the conſenting praiſe " of the honeſt and the wiſe," which his Lordſhip had ſo early acquired. " To thoſe whom you diſtinguiſh by particular marks of your good opi- " nion," ſays the Dedicator to his Patron, " you give reputation; and I " have happily experienced, that reputation, ſo derived, is not mere air " and fruitleſs. Through that warmth of good-will which your Lordſhip " on all occaſions expreſſes for me, I have profited, greatly profited, by " your glory. You, my Lord, can be no ſtranger to this truth; yet, I " truſt, you will forgive me, if, to draw ſtill more advantage to your fame, " I here take the liberty to tell your Lordſhip in print, for the information " of others, what you knew before: As a player, taken alone on the ſtage, " ſpeaks aloud to himſelf, that he may be heard by thoſe who fill the " theatre. I would, by this dedication of my book to your Lordſhip, " publiſh, as far as by ſuch means I can, that you, my Lord, are my " patron and my friend; and that I am, with the greateſt reſpect, eſteem, " and gratitude, your Lordſhip's moſt faithful and moſt humble ſervant." [The Publiſher of this Pamphlet confeſſes that he has a view to himſelf in tranſcribing this laſt paſſage. He wiſhes, at the diſtance of near forty years, to add his feeble teſtimony to the " fair fame" of the Earl of Marchmont; whoſe " patronage and friendſhip" he alſo is proud to have experienced.] To the ſecond volume Mr. Hooke added " The Capitoline " Marbles, or Conſular Calendars, an ancient Monument accidentally diſ- " covered at Rome in the year 1545, during the Pontificate of Paul III †."

In 1758, Mr. Hooke publiſhed " Obſervations on, I. The Anſwer of " M. l'Abbé de Vertot to the late Earl Stanhope's Enquiry, concerning the " Senate of Ancient Rome: dated December 1719. II. A Diſſertation " upon the Conſtitution of the Roman Senate, by a Gentleman: publiſhed " in 1743. III. A Treatiſe on the Roman Senate, by Dr. Conyers Mid- " dleton: publiſhed in 1747. IV. An Eſſay on the Roman Senate, by

* A ſecond edition of this volume was printed in 1756.

† Since ſo beautifuliy engraved by Piraneſi in his " Lapides Capitolini, ſive Faſti " Conſulares Triumphaleſque Romanorum ab urbe conditâ uſque ad Tiberium Cæſarem."

" Dr. Thomas Chapman: publiſhed 1750;" which he with great propriety inſcribed to Mr. Speaker Onſlow. Mr. Hooke here requeſts the reader, " That he will not, from the ſeemingly quarrelſome humour of the Ob- " ſervator, conclude him inſenſible of the ſuperior abilities of thoſe learned " men, whoſe works he criticiſes; or ſo wrong-headed, as to think that a " writer's happening ſometimes to reaſon weakly and inconcluſively, is " any proof of his not being an able reaſoner, or a perſon of true and ex- " tenſive learning." The Obſervations, he adds, he wiſhes not to be conſidered as " a critique or cenſure on thoſe pieces only which are men- " tioned in the title-page, but on all the accounts of the Regal State of " Rome, and the firſt Settlement of the Roman Commonwealth, which " have been given by other modern writers, who have taken Dionyſius of " Halicarnaſſus for their chief and moſt truſty guide." He concludes the Preface with the following anecdote: " A very great man (in all " ſenſes) ſaid to the author, after doing him the honour to read his Re- " marks on the Hiſtory of the Seven Roman Kings, and his Diſſertation " on the Credibility of the Hiſtory of the firſt 500 years of Rome, 'I be- " lieve you are right, but I don't care whether you are or no; Why don't " you give us the third volume?' To prevent the like rebuke from any " reader of the following Obſervations, I take this occaſion to ſignify, that, " though the ſaid third volume was never promiſed, and is not finiſhed, " and though the author has little hope of ever finiſhing it in ſuch a man- " ner as to ſatisfy either the public or himſelf, yet it is his purpoſe to do " his beſt to pleaſe thoſe perſons who deſire a third volume; of which no " inconſiderable part (already written and reviſed) will probably be ſent " to the preſs before the end of the approaching ſummer. It is poſſible, " that ſome perſons, of a teaſing diſpoſition, may aſk, Why the author " did not finiſh the third volume, inſtead of loſing time in improving his " firſt volume, and writing critical obſervations? To this, if any conſi- " derate and pacific friend of the author were to anſwer, he would pro- " bably ſay, That granting the time and labour, ſpent in improving the " firſt volume, and in writing critical obſervations, to have been ſufficient " for the work of a third volume, the author may nevertheleſs be excuſed, " if he judged, That to thoſe readers, who read with a deſire to ſee what " is true or probable, the improvements and obſervations aforeſaid would " be more acceptable than a third volume without theſe; becauſe, in his " opinion, they may, in ſome meaſure, conduce to clear up ſeveral ob-

" ſcurities

" ſcurities in the hiſtory, not only of the earlier but of the later ages of " Rome. In the ſecond edition of the firſt volume, the hiſtory of the 42 " years from the Seceſſion to the Decemvirate (in which interval Sp. Caſ- " ſius made the firſt propoſal of an Agrarian law: and the Tribune Volero " prevailed to have Comitia Tributa introduced) was, in great part, a new " compoſition, which placed things in a very different light from that in " which they had before been preſented. (The character and conduct of " Caſſius are vindicated.) And, in the third edition of that volume, ſome " conſiderable changes and additions (improvements, it is hoped) were " made in the hiſtory of the Romans, from A. U. 357, when they took " Veii, to the year 370, when Marcus Manlius (who preſerved the Ca- " pitol, after the Gauls had burnt the city of Rome) was aſſaſſinated. " An examination is made into the true cauſe of that implacable hatred " which the Senate and Camillus bore to Manlius; and into the manner " of his death." An excellent Index to Mr. Hooke's Obſervations, drawn up by Mr. Bowyer, is now preſented to the publick. The volume was followed by " A Short Review * of Mr. Hooke's Obſervations,

* " Mr. Hollis, when his attention to public liberty was required, was a faithful " centinel, never off duty. On Mr. Hooke's Roman Hiſtory he has this note: ' See " a curious tract, written by Mr. Spelman, intituled, A Short Review of Mr. Hooke's " Obſervations, &c. in which the biaſſes of that yet reſpectable gentlemen, Mr. Hooke, " a Romaniſt, are ſet forth. In the year above-mentioned, Mr. Hooke publiſhed ' Ob- " ſervations on the Accounts given by Vertot, Middleton, and Chapman, on the Ro- " man Senate; in which he treated Dionyſius as a mere writer of Romance, &c. and " the above-mentioned authors, particularly Dr. Middleton, with a diſreſpect for which " the ſubject gave no occaſion, and which the Monthly Reviewers aſcribe to the Doctor's " offenſive Letters from Rome.' Mr. Spelman had then publiſhed, or was about to " publiſh, his excellent tranſlation of this ſame Dionyſius's Hiſtory; and on that, and " other accounts, thought it neceſſary to obviate the prejudices which might be inſtilled " into ſome part of the public by theſe obſervations in the ſhort Review above-menti- " oned. In this little piece he fails not to vindicate his Hiſtorian, though briefly, yet, " as competent judges have determined, very effectually. Mr. Hooke's paſſion for the " deſpotic form of government appeared by an eye and ear witneſs of the tranſaction. " In the year 1746, Mr. Hooke, in company with ſome gentlemen of reſpectable cha- " racters, took out of his pocket a pamphlet, written by Mr. Warburton (afterwards " Biſhop of Glouceſter) juſt then publiſhed; from which he reads a paſſage to the fol- " lowing effect. When God in his juſtice weighs the fate of nations, he conſiders all " arbitrary governments as paper and packthread in the ſcale! ' What! ſaid Mr. " Hooke, does Mr. Warburton imagine, that God Almighty conſiders the great mo- " narchies of France and Spain only as paper and packthread?' No one in the com- " pany made any reply, and the converſation dropped. But, we may ſuppoſe, they took " the fairneſs of the citation for granted. The paſſage alluded to is in a pamphlet, " intituled, ' Apologetical Dedication to the Reverend Dr. Henry Stebbing, &c. 1746." Memoirs of Mr. Hollis, p. 497.

" &c. concerning the Roman Senate, and the character of Dionyſius of " Halicarnaſſus, 1758," 8vo; an anonymous pamphlet, but written by " Edward Spelman, Eſq. It produced the " Apology" by Mr. Bowyer, which is now for the firſt time printed.

The third volume of Mr. Hooke's " Roman Hiſtory," to the end of the Gallic war, was printed under his inſpection before his laſt illneſs, but did not appear till after his death, which happened in 1764. The fourth and laſt volume was publiſhed in 1771.

Mr. Hooke left two ſons; of whom, one is a Divine in the Church of England; the other a Doctor of The Sorbonne, and Profeſſor of Aſtronomy in that illuſtrious Seminary. If this ſlight attempt to preſerve the memory of their worthy Father ſhould prove diſagreeable to either of thoſe gentlemen, the author of it very heartily aſks their pardon, and ſhall be happy if it produces a more ſatisfactory account of the life of ſo reſpectable a man.

AN APOLOGY FOR

Some of Mr. HOOKE's Obſervations, &c. concerning the Roman Senate, &c.

IN ANSWER TO

Mr. *Spelman's Short View* of Mr. HOOKE's Obſervations *, &c.

DIONYSIUS ſays, the Senate at firſt conſiſted of 100 *members* made by Romulus. Afterwards, in the peace between Romulus and Tatius, an *hundred Sabines were* added to the Senate. So that under Romulus, before he died, the Senate was 200.

Livy ſays, that at the death of Romulus there were but 100 *Senators*.—" Itaque rem inter ſe CENTUM Patres—conſociant. Fremere deinde plebs " multiplicatam ſervitutem, CENTUM pro uno Dominos factos †."

It is impoſſible to reconcile the two hiſtorians in this particular. But the author of the *Short View* will make Livy contradict himſelf, rather than Dionyſius. He will prove, p. 10, 11, from the ſpeech of Canuleius, l. IV.

* Publiſhed by R. Griffiths, 8vo, 1758. Mr. Spelman, a lineal deſcendant of Sir Henry Spelman, publiſhed in 1740, a tranſlation of Xenophon's " Expedition of Cyrus," 2 vols. 8vo; and, in 1758, " The Roman Antiquities of Dionyſius Halicarnaſſenſis, " tranſlated into Engliſh, with Notes and Diſſertations," 2 vols. 4to. In that year alſo he printed for private uſe, a ſmall quarto tract under the title of " A Diſſertation on " the Preſence of the Patricians in the Tributa Comitia." See more of him in the Life of Mr. Bowyer, p. 278.

† Liv. l. i. c. 17.

c. 4. *that the first hundred Senators were Albans, who had followed Romulus to the spot where he built Rome,* and that an hundred Sabines were added *after the union between Romulus and Tatius.* "Quid? hoc si polluit nobilitatem "istam vestram, quam plerique oriundi ex *Albanis* et *Sabinis,* non genere, "nec sanguine, sed per cooptationem in Patres habetis, aut ab REGIBUS "LECTI, aut, POST REGES EXACTOS, jussu populi *." *Now it is well known,* says *the Short View, that the Patricians owed that title to their descent from Senators: the consequence of which is, that if there had been no Sabine Senators, there could have been no Sabine Patricians: So that* ex Albanis *can mean no others than the first hundred Senators* CHOSEN *by the* PEOPLE *out of the Albans—and by* ex Sabinis, *the hundred Sabine Senators chosen by the* PEOPLE *after the union between Romulus and Tatius.* Here the *Short View* puts a charge on the words of Livy, when he says, the first hundred were chosen by the *people,* and the second hundred by the *people* likewise; whereas Livy in express for the first hundred: REGIBUS *lecti*; and the *second hundred* likewise, *before* the expulsion of the Kings.

Livy (as Mr. Hooke observes, Rom. Sen. p. 48.) says, "Tullus—princi- "pes *Albanorum in patres* legit; ut ea quoque pars reipublicæ CRESCERET, "legit Julios, Servilios," &c. That on this augmentation of the Senate he was forced to enlarge the Senate *house.* Those who contend for the admission of a hundred *Sabines* into the Senate in the time of Romulus, will be hard put to it to settle their account, and to make the Senate consist of *only* 300, after the creation of Tarquin's Hundred Senators Minorum Gentium.

Since Livy then is so express that there were only a hundred Senators in the time of Romulus, that the first augmentation of their number was made by Tullus Hostilius; why must the words of Canuleius be forced into an interpretation contrary to this supposition? He is pleading for repealing the law which forbad marriages between Patricians and Plebeians. "You Patricians hold not your nobility by extraction and blood." —Why so?—Because you are not descended from *the hundred* Senators of Romulus, as Mr. Hooke interprets. From the *Two Hundred* Senators of Romulus, as the *Short View* interprets: "Most of you are sprung from "*Alban* and *Sabine* ancestors, who were either by the choice of our Kings, "or, after the expulsion of our Kings, by the authority of the people

* Liv. IV. c. 4.

"received

" received among the Senators." Here is latitude of time enough allowed for the choice, both of *Albans* and *Sabines* into the Senate, viz. during the reign of the kings, or *after* their expulsion: but there is nothing to lead us to conclude, that by the *Sabines* he means an *hundred* Sabines chosen into the Senate at the peace between Romulus and Tatius. The short is, according to Livy, the Senate under Romulus consisted of no more than an *hundred*; all *Romani Veteres*, at their first institution. But as vacancies happened, he filled some of them up with *Sabines*, after he was united with them. No wonder therefore, that at Romulus's death, *those among them who were Sabines*, oriundi ab Sabinis, *desired to have a king of their own nation*; *while the Roman Senators*, Romani veteres, *desired to have a Roman king* *, Liv. i. c. 17. Tullus Hostilius increased the Senate to *two hundred*, adding an hundred of the best families of the Albans. At the expulsion of the kings, it was augmented to *three hundred*, some probably both of Alban and Sabine families being admitted in that number. Will not this abundantly justify the expression of Canuleius, when he tells the Patricians of that time, that they owed their nobility to their ancestors being chosen into the Senate out of Alban or Sabine families, either *under the kings*, or after the *expulsion of the kings*? That the descendants of those Senators who were chosen *after* the expulsion of the kings were *Patricians*, appears from Tacitus Annal. xi. 25. It is more equitable to allow Livy to be consistent with himself, than to torture him to be reconciled to Dionysius.

Short View, p. 21.

The second division of the Roman people, mentioned by the Observator, *That the Plebs contained the knights and all the citizens, except the Senators, is absolutely insupportable.*

The body of the Roman people are sometimes divided into three *orders*, sometimes *four*, *Populus* being sometimes included in *Plebs*, sometimes reckoned distinct from it; and *Patricians* being sometimes included in *Senatus*, sometimes not. Thus Ausonius:

Martia Roma triplex, Equitatus, Plebes, Senatus.

Where, I suppose, *Plebs* included *populus*; the Patricians not Senators are

* Short View, p. 11.

included

included under *Equitatus*; and, on the other hand, *Populus* is uſed in diſtinction to *Plebs* by Martial, l. VIII. 15.

Dat POPULUS, *dat gratus* EQUES, *dat thura* SENATUS
Et libent Latiæ tertia dona tribus.

Where *tribus* ſtands for *Plebs* diſcriminatively from *populus* in the firſt line. See Caſaub. in Suet. Aug. c. 10. Now as *Plebs* and *populus* are uſed one for the other; and the whole legiſlative power is often called *Senatus Populuſque Romanus*, where is the abſurdity to ſay, *That Plebs* [or *Populus*] *contained the Knights, and all the Citizens, except the Senators?* Will not the *Digeſt* ſupport Mr. Hook in this aſſertion, cited by him, vol. I. p. 371. ed. 3d. *Plebs eſt cæteri cives ſine Senatoribus.* Dig. l. L. t. 16. n. 238.

The Short View ſays, *If the Plebs contained the knights and all the citizens, except the Senators, the Plebs contained all the Patricians, who were not Senators, which even the Obſervator himſelf will not pretend to aſſert.* This objection lies equally at leaſt againſt Martial, Auſonius, and the Obſervator; in reality indeed leaſt of all againſt the laſt of them. For the Obſervator ſpeaks only of the ſeveral orders mentioned by Livy under the KINGS, during which period the PATRICIANS are not mentioned by that hiſtorian; the deſcendants of Romulus's *Patres* being ſtyled PATRICIANS. So that under Romulus there were *Patres*, but not *Patricians*.

P. 22, 23, &c. The queſtion is, whether Livy ſuppoſes the Patricians in the *Comitia Centuriata*, though inferior in number, were ſuperior in ſtrength to the Plebeians *. Livy ſays, "Hæc omnia in *Dites* a pau-" peribus inclinata *onera*, deinde eſt honos additus, non enim (ut ab Ro-" mulo traditum, cæteri ſervaverant reges) *viritim* ſuffragium—omnibus " datum eſt; ſed gradus facti, ut neque excluſus quiſquam ſuffragio vide-" retur, *et vis omnis penes Primores civitatis eſſet.*" By *dites*, the obſervator underſtands, not the *Patricians*, nor yet the citizens of the FIRST claſs *only*; but the citizens of all the FIVE claſſes, called *Dites* in oppoſition to thoſe of the *Sixth* claſs, who, being poor, were exempt from taxes; which were wholly levied out of the *Five* claſſes; whereas, at the firſt inſtitution by Romulus, all citizens paid taxes alike, of which many made juſt complaint; by the regulation of Servius Tullius, the people were divided into *claſſes*; by which the weight of taxes was thrown wholly on

* Lib. I. c. 43.

the

the RICH, and thoſe who were called POOR were exempted from paying any. So that though there were ſix claſſes, they may be conſidered as a general diviſion of RICH and POOR. The next effect of Servius's regulation was a new diviſion of POWER. And whereas from the days of Romulus every ſingle vote was of equal weight, now by the Diviſion of *Centuries* or *Companies*, the weight of every election was in the hands of the rich, becauſe of 193 *companies*, 98 were of the firſt claſs, who all uniting made a majority of the whole. But though power was thus thrown into the hands of the rich, it was not thrown into the hands of the *Patricians* or *Senators*. For if all the Senators, being 200 or 300, were divided among all the 193 companies, they could have but little force in making a majority in the Comitia by *Centuries* *. If all the Senators entered into the firſt claſs, they did not make a majority in that claſs; and much leſs could they, if divided among 98 centuries, make a majority of them all; that they were ſo ſplit into *Centuries*, as to give a caſting vote in the *Comitia Centuriata*.

As to the Patricians, Livy never ſpeaks of them in the hiſtory of the Regal State of Rome; and be their dignity whatever one ſhall pleaſe to ſuppoſe it, their weight in this new ſort of General Aſſemblies, was no more than what their degree of wealth gave them; and by the ſmallneſs of their number they were ſo very inconſiderable as to be next to nothing."

II. Let us next ſee what weight hiſtory informs us the Patricians had in theſe Comitia Centuriata.

1. If they were more powerful there than the *Plebeians*, whence is it that both Dionyſius and Livy, l. IV. 6. are forced to ſeek out for a reaſon to account for the *Patricians* being choſen Military Tribunes in thoſe aſſemblies? If they had naturally more power there than the Plebeians, it would be a wonder that they were NOT choſen †.

2. The Obſervator remarks, p. 188, That by the unanimous voice of the CENTURIES Servius Tullius was choſen King, *againſt the will of the* SENATE, long after he had transferred the privilege of the *Curiæ* to the *Comitia Centuriata*, which ſhews that the greateſt power was not thrown into the hands of the Senators in thoſe aſſemblies.

3. Even Dionyſius, l. VII. c. 23. makes Coriolanus ſay, that the *Plebeians* were more powerful in the *Comitia Centuriata* than the *Patricians* ‡:

* See Obſerv. p. 186. † Ibid. p. 186. ‡ Ibid. p. 51.

" And now [you ſee] how thoſe dangerous men are elated, ſince they " have diſcovered that the whole ſtrength of the Commonwealth conſiſts " in votes, of which, as the people exceed us in numbers, they are ſure " to have a majority *." The Hiſtorian indeed afterwards contradicts, in ſpite of fact and common ſenſe, what he had made Coriolanus ſay †.

* Q. If Coriolanus does not ſpeak of Comitia Tributa.
† Obſerv. ibid.

INDEX

INDEX, drawn up by Mr. BOWYER, to Mr. HOOKE's Obſervations on the Roman Senate, 4to, 1758.

Ab, after verbs of *chuſing*, uſed for *ex*, as to chuſe out of. Cic. pro Sextio, p. 14. 57. 220. and Virg. Æn. VII. 152. p. 303.

Ædiles. Plebeian, U. C. 297. p. 205. Elected in the Curiæ from U. C. 260 to 282; after 282 elected in the Comitia Tributa, p. 223.

Agrippa, a Plebeian, ſuppoſed by Dr. Chapman to have been made a Patrician, that he might be admitted into the Senate at the election after the expulſion of the Kings, p. 38. 41.

Appeals, no right of them from the Dictator, 281—283, note. One inſtance of appeal under the Kings, p. 103. A law made by the next Conſul after Brutus for appeals to the people in criminal cauſes, p. 106.

Auctoritas, a ratification. *Auctores fient*, Liv. i. 17. ſhall ratify or confirm, p. 98. 285. Differt. p. 2. miſtaken by Dr. Middleton, p. 85. note.

Canuleius's ſpeech, U. C. 308. Liv. IV. 4. What it imported according to Dr. Chapman, p. 59, 60. what according to Mr. Hooke, p. 10, 11. 62. 223. Dr. Middleton's concluſions from it, p. 223, 4. Aſſerts expreſsly that under the regal government the Senators were choſen by the Kings *juſſu populi*, p. 69. What he ſays of the Quæſtors, that *there was a time when they were not*, reconciled with Tacitus, who ſays, the Kings choſe them when inſtituted after the time of Romulus, p. 206. His meaning, *Nemo poſt exactos reges de plebe conſul fuit*, is, none was made conſul from the Commons, without being a Senator, p. 207.

Cenſors, appointed, and confined to Patricians, as ſoon as the military tribuneſhip was laid open to Plebeians, p. 69, 70. Created U. C. 310. and ſupplied the vacancies in the Senate inſtead of the conſuls, which was heretofore taken by the conſuls, had been intermitted for XVII years before this new officer was inſtituted, p. 69. Artfully inſtituted by the management of the Patricians, not to eaſe the conſuls, but to ſeparate from them thoſe powers which were to be transferred to two Patricians, and whoſe magiſtracy was to be quinquennial, 70. Their power as repreſented by Dr. Middleton and Chapman, p. 244, 5. Their enrollment gave

the qualified magiſtrate an admittance into the Senate, as Val. Maximus expreſsly aſſerts, p. 251.

Centuries. As they were not equal in number of men, but were greater or leſs according to the wealth of the perſons who compoſed them, we eaſily conceive how power bore a proportion to wealth, p. 180. Votes of the Senators [and Patricians] in thoſe aſſemblies of more value than they had been in the aſſemblies of the Curiæ, yet had much leſs influence over citizens moderately rich, or of competent fortunes, 183, 188. Inſtituted to eſtabliſh, not an *Ariſtocratical*, but a *Democratical* government, by throwing power into the hands of the rich, who were the PRIMORES *civitatis*, in oppoſition to the Senate, 51. 137. 187. 140. 174. and ſee Vol. I. p. 230. 369. If Patricians were more powerful in them than the Plebeians, why did Dionyſius and Livy look for a reaſon why they choſe none but Patricians to be military tribunes, 137. Senators under the Kings, let their number be 200 or 300, we cannot ſuppoſe them ſo ſplit into Centuries as to make many votes in the Comitia Centuriata, 186. Servius Tullius choſen king by the unanimous votes of the Centuries, i. e. of the DITES ET PRIMORES, contrary to the will of the Senate, p. 188. and Coriolanus baniſhed by the ſame intereſt, p. 189. Were appointed by Servius Tullius after the diſtribution of the Etrurian lands among the Commons, p. 187. The reaſon of inſtituting them aſſigned by Dr. Middleton, viz. becauſe the tranſacting buſineſs in the Comitia Curiata, where every individual had an equal vote, was found inconvenient, is without any authority, p. 140. note.

Chapman, Dr. His notion of Patricians out of which Romulus choſe his Senate, without foundation, p. 29. Cites Dionyſius without foundation for the Plebeians being eligible into the Senate between U. C. 263—314, p. 35. His interpretation of the ſpeech of Canuleius over-thrown, 59, 60. no foundation for what he aſſerts that the Tribunes were admitted into the Senate within two years after their firſt creation, 65. Miſtaken in his interpretation of Livy, *jura dedit*, p. 100. Suppoſes, without authority, that the Kings preſided at the election of Senators made by a general aſſembly of the people, of which there is no one inſtance, p. 192. Unwarily ſays, that out of 193 Centuries, 98 were *entirely* compoſed of Knights and Patricians, 88. 94.

Cicero

Cicero pro Sextio, explained, p. 14. 57. 65. 220—222. Builds too much on the appeal of Horatius to the people to prove that the Kings of Rome uſed to appeal to the people, p. 163.

Claſſes. Of the ſix inſtituted by Servius Tullus, the firſt were not grandees, but the majority were Plebeians, p. 174. This diviſion made not with a view of ſubſidies or ſoldiers; but to proportion power in the *Comitia Centuriata* to the degrees of wealth, and to the different burthen of taxes which each individual bore, p. 180. and yet Senators were entered in the firſt claſs, but not they only, p. 188.

Comitia Centuriata. See *Centuries.*

Comitia Curiata, holden always in the forum, the Comitia Centuriata never there, 52. note. 231. note. Reſolutions for peace or war never taken in them, contrary to what Mr. Vertot aſſerts, p. 11. Every individual voted in his Curia; but it was not of equal importance to the whole election, becauſe ſome Curiæ were much larger than others, p. 141. note.

Comitia tributa, appointed U. C. 281. according to Livy, xx years after the baniſhment of Coriolanus; not 262, as Dionyſius relates, for the trial of Coriolanus, p. 136. Senators certainly excluded from them, after the year U. C. 287. and, as many think, the Patricians, p. 225. 293. and Vol. I. p. 234. Preſent at them, ſays Spelman, Diſſert. in fine.

Conſul. Plebeians obtained a liberty of being choſen military tribunes with conſular power U. C. 308. p. 71. Regal power continued with the Conſuls, according to Cicero, no longer than to the creation of the firſt Tribunes, U. C. 260. p. 190. In the time of Canuleius, no one of the Commons, after the expulſion of the Kings, made Conſul, who was not a member of the Senate, 207.

Crevier, without foundation, ſuppoſes that Tullus Hoſtilius increaſed the number of Patricians inſtead of Senators, p. 48. Endeavours to reconcile Livy and Tacitus, where they do not differ, p. 206. Miſtaken in his interpretation of Livy, XXIII. 22. p. 234.

Curiæ, divided into ten by Dionyſius ſolely, 206. None in being at the time of the league between Romulus and Tatius, p. 46. Prieſts choſen by them, i. e. each curia or pariſh choſe its own prieſt, p. 111.

Curule magiſtrates, but not the inferior magiſtrates, had probably a right to come into the Senate, even after the expiration of their office, and to deliver their opinions, p. 243.

Decemviri, all of the Senate, not of a Plebeian race, againſt Middleton and Dionyſius, p. 207.

A Democracy, eſtabliſhed by the Comitia Centuriata, not an Ariſtocracy, againſt the opinion of moſt writers, 183. 187. 188.

Dites, in the diviſion of claſſes, does not mean the citizens of the firſt claſs *only*; but the citizens of all the five claſſes, diſtinguiſhed from the ſixth, who were *pauperes*: *Primores civitatis* are *Senators*, *Knights*, and the other citizens of the firſt claſs, the *richeſt* citizens, who compoſed the majority of the whole number of citizens, p. 185. 139.

Dionyſius Hal. l. VII. c. 49. explained againſt Dr. Chapman, p. 36. Cited by Vertot and Spelman unjuſtly, to prove the admiſſion of Plebeians into the Senate ſoon after the baniſhment of Coriolanus, p. 35. and by Dr. Chapman, to prove the Tribunes were Senators two years from their firſt creation, p. 36, 37. ὀλίγους δεῖν πάντας, l. II. 1. 47. interpreted by Mr. Hooke, *ſome* few, p. 45. Mentions a hundred Senators being added from the Sabines by Romulus, which Livy no where mentions, p. 44, 45. Miſtaken in ſaying that from the league between Romulus and Tatius individuals ſhould be called *Romans*, all in general *Quirites*, p. 44, note. Said by Middleton to be contradicted by Livy, where Livy is only ſilent; by Chapman to be credited, becauſe not contradicted by any hiſtorian, p. 46. Fooliſhly repreſents Valerius, a Senator, ignorant that Brutus was in any office when he was commander of the Celeres, p. 53. Contradicts himſelf in ſaying Numa was raiſed from a *Plebeian* to a *Patrician*; elſewhere that he was not ſo much as a citizen of Rome, p. 61. Falſely and inconſiſtently ſays that Romulus granted the people the election of all the magiſtrates, p. 114. Repreſents Romulus's life-guard, the Celeres, to be choſen by the people, p. 115. Cenſured for the prolixity of his ſpeeches by Crevier, p. 135. His account of Romulus's forming his firſt Senate incredible, p. 116. A remarkable ſtroke of flattery to the Romans, when a Grecian republican makes Brutus the king-driver commend monarchy, 133. Wrote the Preface to his hiſtory U. C. 746, eighteen years after Livy wrote his firſt book, and yet unacquainted with Livy's work, 130. 134. Careleſs in not making a due diſtinction between *Populus* and *Plebs*, and often uſing Patrician for Senator, p. 137. His account of the muſters at the ſeveral *luſtrums* examined, 145, note. Inconſiſtent with

with himſelf in making, U. C. 256. muſtered 150,000 citizens, and afterwards 130,000, p. 157, note. Sometimes makes the people chuſe, and the Senate confirm, p. 159, note. Conſtantly calls Tarquinius Priſcus the grandfather of the ſecond Tarquin, having proved, according to the artificial chronology of the regal ſtate, he could not be his father, p. 159, note. A catalogue of his inconſiſtences in relation to Servius Tullius, p. 166. Diſcovers a war of nine years between the Romans and the Tuſcans, of which Livy was wholly ignorant, p. 167. Makes xxx centuries of the rich, and xx each of the 2d, 3d, and 4th, in all LX, which is xx leſs than the firſt claſs, p. 171, note. Not probable that three of the Decemviri were taken from Plebeians, as he aſſerts againſt Livy, p. 207. Divides the Curiæ into ten without any authority, p. 256. His account of Romulus's education, againſt the authority of Fabius Pictor, 256, 257. Romulus leaves the people the liberty of chuſing a Monarchy, Ariſtocracy, or Democracy: they chuſe a Monarchy, and Romulus appoints a Democracy, 258. Lived xx years at Rome, yet probably knew little of Latin, 261. The abſurdity of the ſpeech he makes for Marcus Valerius in the affair of Coriolanus, p. 260. B. v. c. 6. examined, and proved to be inconſiſtent with Livy, p. 265. Defended againſt Spelman, 268. 287. note [b]. Inſtances of the Tranſlator's altering the text to ſave his author's credit, 268—273. In B. IX. c. 46. ſubſtitutes *Curiæ* for *Tribes*, 278. His ſpeech in the affair of Coriolanus full of inconſiſtencies, 280, 1, 2, 3. More proofs of inaccuracy, 284. Confounds Senators and Patricians, 291. Styles the aſſemblies of the centuries, which was of all the Roman people, an oligarchical tribunal, p. 293. Many particulars againſt the probability of truth, p. 194. Many to offer flattery to Rome and his own countrymen, 297. His character by Monſ. De Beaufort, 299. and by Mr. Hobbes, 125. 302.

Equites, few continued in that order after they were XLVI years old, according to Dr. Chapman, p. 44. After the expiration of the regal government, the Senate generally ſupplied out of them, p. 34. 44. 204.

Εὐπάτριδας in Dionyſius equivalent to *Patres*, not to *Patricians*, p. 21. 88. note.

Fabius Buteo, the Dictator, how he ſupplied the Senate, p. 232.

Fabius Maximus, no reaſon to think he concluded that Craſſus was a Senator becauſe he had been Quæſtor three years before, 235, note. 243, note.

Feſtus

Feſtus falls into Dionyſius's dream, that under the Kings the Senate was filled with Patricians, p. 51.

Flamen Dialis, the office revived U. C. 244, had probably no ſeat in the Senate, p. 248.

Gellius, Aulus, l. iii. 18. His account of the *Senatores pedarii*, p. 238, 9.

Gordon, cenſured in a paſſage of his tranſlation of Tacitus, p. 117, note.

Government of Rome abſolute in the Kings, p. 200.

Horatius, the firſt and only inſtance during the regal ſtate of an appeal from the King to the People, p. 103.

Hobbes. His character of Dionyſius, 125. 302.

L'Incertitude de l'Hiſtoire Romaine, the author of, cenſured, p. 182.

Juſſu populi in Livy, the meaning of it, p. 57.

Kings of Rome laſted but 105 years according to Sir Iſaac Newton, p. 24. The principal officers nominated by the firſt Kings, 63. 114. Rome not ſo democratical under them as Drs. M. and C. would repreſent, p. 99. and vol. III. p. 165. note *f*.

Livy, i. c. 30. wrong interpreted by Crevier, only to reconcile him with Dionyſius, l. v. 12. p. 48. L. i, 17. ill underſtood by Dr. Middleton, p. 85. 98. The true ſenſe of the paſſage, p. 97. L. i. 8. explained againſt Dr. Chapman, p. 100, 101, note, l. ii, c. 1. His character of a free ſtate, where laws were more powerful than men, p. 107, 117. L. i. c. 48. *Juſta ac legitima regna* explained, p. 108. In compliance with the vanity of his countrymen, leaves the chronology of the Kings juſt as he found it, though he did not believe it, p. 146. His partiality to his favourite King Servius Tullius, p. 148, note. Omits the ſeveral *luſtrums* before the ninth, becauſe probably he had found no authentic records of the numbers polled, p. 153, note. 157, note. Liv. i. c. 43. What meant by *Dites* and *Primores*, p. 139. 184. 188. l. iv. Canuleius's ſpeech explained, p. 62. 207. l. ix. 29. The caſe of Appius Claudius Dictator ſupplying the Senate with 177 perſons, differently reaſoned upon by Monſ. Vertot, p. 17. and differently by Dr. Middleton, p. 116. l. xxxvi. 4. *Sententiam dicere* explained, p. 240, 241, 242. L. xxiii. c. 22. *Cum non ſolum inopiam, ſed paucitatem etiam civium, ex quibus in patres legerenter* explained, p. 234. Liv. vi. ult. explained, 286, note.

Livius, Salinator, delivers his opinion in the Senate three ways, l. xxvii. p. 34.

Licinian laws, V. C. 386. cancelled the debts of the poor, took the lands from the Senators, and divided them among the citizens, by which means the people became free, 189.

Licinius Calvus Plebeius, "vetus tamen Senator," its meaning, p. 42.

Lipſius ſaid to be cited by Kennet to prove that any magiſtrates might come into the houſe, while they were in office, and they who had born any curule office, after it, p. 241. [But Mr. Hooke miſtakes. Lipſius is not cited for this. See Kennet, p. 105.]

Luſtrum, a ſpace of five years according to the uſual acceptation of the word, p. 157, note. And yet, according to M. is ſaid to be without any ground in fact, p. 151, note. Renewed by the Conſuls Valerius and Lucretius, U. C. 249. in the fifth year of the Republic, not the ſecond as Dionyſius, p. 152, note. This in reality the ſecond luſtrum, though falſely called by moderns the fifth, p. 153, note. The ſeven firſt luſtrums from the beginning of U. C. 245. at the beginning of the Commonwealth, carry us through a ſpace of 35 years, p. 153, note. Why Livy mentions no luſtrum under the Conſuls, till the ninth of U. C. 288, under Fabius and Quintius, p. 153, note. A liſt of the ſeveral luſtrums from the firſt to the time of Sylla, p. 154.

Magiſtrates. The gradation of them by which Dr. M. would ſupply the Senate, impoſſible in the firſt ages to be ſufficient, 214, 215. And more particularly that ten Tribunes and four Ædiles ſhould be made out of VIII Quæſtors, p. 214.

Manutius's ſenſe of Canuleius's ſpeech, that all the Kings, except Romulus, choſe the Senate, againſt Middleton, p. 63.

Sp. Mælius, probably no Senator, though Dr. Middleton thought he was, p. 218.

Middleton, Dr. miſunderſtands the period to which earl Stanhope's letter refers, p. 6. Cites Livy, as ſaying that the new Senators were taken from the *Commons*, who ſays from the *Equeſtrian* order, p. 34. 204. No foundation for his aſſertion that Tribunes had a right to be Senators within two years after their firſt inſtitution, 35, 36. 217. 251. Right in his notion of Patricians in his Life of Cicero; wrong in his treatiſe on the Roman Senate, 28. Egregiouſly miſrepreſents the ſenſe of Livy, l. i. 17. *in id ſic ratum eſſet, ſi Patres auctores fierent*, p. 97. Without grounds aſſerts that Plebeians (100 new Senators) were choſen by Tarquin

quin into the Senate, p. 141, note. Ill aſſigns a reaſon for inſtituting the Comitia Centuriata by Servius Tullius not mentioned by Livy or Dionyſius, 140, note. Says a luſtrum being uſually taken for five years is not founded in fact, p. 151, note. Adopts an improbable ſtory of a nine years war between the Romans and Tuſcans from Dionyſius, p. 168. Cites Cicero and Livy for the people's power of an appeal under the Kings, unjuſtly, 106, 107. 190. His probable account of ſupplying the Senate with members attended with many ſtrange impoſſibilities, p. 206—210, & ſeqq. Objections to his hypotheſis, as publiſhed in his Life of Cicero, were publiſhed in 1745, of which no notice was taken expreſsly; but in the Treatiſe on the Roman Senate were deſigned to be obviated, 213. and yet takes no notice of ſome material objections, viz. that Ten Tribunes and Four Ædiles could not be formed out of VIII Quæſtors, p. 214. or at leaſt that VIII Quæſtors could not annually make Ten Tribunes, 216. His new-invented gradation of honours, from Quæſtor, Tribune, Ædile, Prætor, Conſul, into the Senate, abſolutely falſe, p. 215. 235. His reaſons for Sp. Mælius being Senator, not probable, p. 218. Miſtaken in his Tranſlation of Cicero pro Sextio, p. 220, 221. Proves from Cicero an indirect election of Senators by the people, and at the ſame time a regular gradation into the Senate, from a paſſage which ſpeaks of Conſuls only before the inferior magiſtrates were inſtituted, p. 221. Produces paſſages from Cicero, when ſpeaking of his *own time*, to prove that the people, by chuſing the annual magiſtrates, indirectly choſe Senators in *ancient times*, 226. His deductions from Canuleius's ſpeech no leſs abſurd, p. 225. Vainly introduces the capricious acts of Sylla as a proof of the conſtitution, p. 225. Miſrepreſents Livy, l. ix. c. 29, 30, as ſaying that Appius Claudius, the Cenſor, only *attempted* to introduce the grandſon of ſlaves into the Senate, which he *effected*, p. 227, 228. And mis-tranſlates the paſſage in Livy, p. 230. Says, in the affair of Fabius Butes, a popular aſſembly was called for ſupplying the Senate, when it was only a mixed multitude occaſionally appealed to, 232. His notion of *Senatores Pedarii*, Senators not put on the roll by the Cenſors, and conſequently had no right to vote, ill founded, 237. Talks of the Flamen not ſeeking redreſs from the Cenſors, when there were none, p. 248. Fooliſhly ſuppoſes that Romulus granted to the people the privilege of a Democracy, 258.

Military

Military Tribunes, appointed U. C. 388; yet not one choſen out of the Plebeian body for 44 years, though they had the liberty of being choſen, p. 66. P. Licinius Calvus the firſt military tribune, U. C. 353, made a Senator probably long before, p. 66.

Monteſquieu, in his account of the Comitia Centuriata, p. 185, makes the *rich* and the *Senate* in Livy the ſame thing, p. 188.

Moyle, cenſured for ſuppoſing king Servius intended to ſtrengthen the intereſt of the Patricians, p. 183. and that the Romans fell into an Ariſtocracy after the expulſion of their Kings, p. 184. Does not give to the people under Romulus ſo much ſhare of power as Dr. Middleton, p. 110.

Numa. The fathers reſerved a negative on the people's choice when he was choſen king, which was not the law at the election of their kings, p. 99. 159. 196, 197. 285.

Orders of men under the Kings only two, *Patres* and *Senators*, or *Plebs*, containing the knights and all the citizens except Senators; *Populus* both Senate and Plebs, p. 47, note. The ancient diviſion according to Salluſt was into *Patres* and *Plebem*, p. 65, note. p. 109, note. The diſtinction between *Populus* and *Plebs* confounded by Dionyſius, p. 137, note. Populus ſometimes include all the citizens except the Senate, Servius *injuſſu populi, voluntate patrum regnavit*, Liv. i. 41. i. e. unauthoriſed by the people, reigned King by the [ſole] conſent of the Fathers, p. 139. "Populus regem juſſiſſet, ſi patres auctores fierent," Liv. i. c. 17. p. 192. iv. 3. ibid. i. 2. p. ibid.

Patricians, never mentioned by Livy as a body of men out of which the Senate was taken, p. 27, 28. 40. According to him, the ſons of the hundred firſt Senators of Romulus, or of thoſe who were Senators under the kings, 20. 28. *Patres minorum gentium* were probably the hundred Senators made by Tarquin, not of lower birth than thoſe of Romulus, but called ſo becauſe they were Senators of the ſecond creation, p. 23. Their ſons *Patricii minorum gentium*, p. 24. The ſame title given to the ſons of Senators made by Brutus, p. 59. The factions of *Patricians* and *Plebeians* from the Senators *patricianiſing* their families, and hindering Plebeians from getting into thn Senate, which made the Tribunes form Plebeian factions againſt them, p. 59. From Brutus's election, U. C. 244, to the Tribuneſhip of Canuleius, U. C. 308, the Plebeians were not excluded by law. None were admitted Senators but who were of Patrician families, p. 65. The Patricians for ſome time kept them out

from the Quæſtorſhip and Conſulſhip, by aſſuming to themſelves the right of *Prieſthood* and the *Auſpicia*, p. 68. When Military Tribunes were inſtituted with Conſular power, to cut off the Plebeians from one branch of the Conſul's power, they inſtituted Cenſors, p. 69. Plebeians obtained a right to the Conſulſhip by the Licinian law, U. C. 368, p. 71. Patricians, as diſtinguiſhed from Senators, by the ſmallneſs of their number were ſo inconſiderable as to be next to nothing in the Comitia Centuriata, p. 28. 44. 49, 50. 186. If they were naturally ſuperior to the Plebeians in the Comitia Centuriata, why do Livy and Dionyſius labour to aſſign reaſons why Patricians were choſen Military Tribunes, p. 186. In the time of Servius Tullius, admiſſion into the Senate gave the title of Patrician to the perſon admitted, p. 291. Not preſent at the Comitia Tributa, p. 225. 293, a. and vol. I. p. 334. But ſee Spelman's Diſſertation, at the end.

Pedarii Senatores. Thoſe who on any occaſion *divided* without voting, p. 238.

People. No appeal by law from the King to them in capital caſes, p. 104. Appeals lay to the people from the ſentence of the magiſtrates, p. 106. Never lay appeals to them from the Dictator, p. 181—183, note. Though war was declared in their name, yet they were never conſulted whether war or peace ſhould be declared, p. 112.

Pighius, U. C. 260, ill aſcribes to haſte Livy's omiſſion of the ſeveral luſtrums before the ninth, p. 153, note.

Plebeians. During the regal ſtate, not excluded from the Senate, according to Livy, p. 30. 52. Allowed by Dr. Middleton to have been choſen into the Senate, U. C. 313—but were always capable of it, 38. 46. Suppoſed by Dr. Chapman to be firſt made Patricians before they could be admitted into the Senate, p. 39. No great favour or indulgence to be admitted, if the expedient of making them Patricians removed all the obſtacles of their order, p. 40. The time ſuppoſed by Dr. Chapman for the excluſion of them from the Senate cannot be above five years, viz. from the death of Tarquin the Proud, U. C. 258, to the year 262, when the affair of Coriolanus was in diſpute, p. 41. Plebeian Senators at the firſt, p. 58, 274. Plebeians under the regal ſtate became Patricians or Nobles, by being choſen into the Senate, and their ſons were Patricians, or, as we ſay, honourable, p. 64. About the time of the tribuneſhip

tribuneſhip of Canuleius, U. C. 308, when the law againſt Patricians marrying with Plebeians was repealed, and the people were free to chuſe Military Tribunes out of the Plebeians, a Plebeian was ſtill accounted ſuch after he was admitted to the Senate, p. 64. 71. Obtain acceſs to the Conſulſhip, U. C. 386, p. 71. After having been arbitrarily excluded from the Senate about 64 years, the way into that aſſembly was opened to them about U. C. 308. p. 71. Age and fortune were overlooked in the qualification for Senators by the avarice and ambition of the Patricians in the firſt ages of the republic, p. 72, 73.

Plutarch miſtaken in his chronology of the Roman kings, p. 95. Differs from Tacitus concerning the time when the Quæſtorſhip was inſtituted, p. 114. Reſided at forty years, yet probably did not underſtand Latin well, p. 262.

Polybius, his deſcription of the ſix kings of governments, p. 118. Extols a mixed government, but not ſuch an one as was inſtituted by Romulus, p. 118—123. 261.

Pontiffs, under Numa, choſen by the Pontifical college, not by the people, p. 215.

Populus et Plebs, Dionyſius cenſured for not making a diſtinction between them, p. 137.

Prætors not inſtituted till U. C. 387, nor acceſſible to the Tribunes till U. C. 417. p. 215.

Primores civitatis denotes in Livy Senators, Knights and other Citizens of the firſt claſs, that is, the *richeſt* citizens who compoſed the majority of the whole number of centuries, and who ſeldom differed in opinion, p. 185.

Quæſtor appointed by the Kings of Rome, according to Tacitus, An. xi. c. 22. p. 114. not after the inſtitution of the Republic, as Dr. Middleton aſſerts, though perhaps then firſt received that name, and were firſt choſen by the people, p. 206. as Crevier thinks; but Livy ſays only there was a time when Queſtors were not, which might be after the time of Romulus, 206, note. From their firſt inſtitution, U. C. CCCXXXIII, only two; from that time to CCCCVIII, four; thence to Sylla's Dictatorſhip, U. C. DCLXXI, eight; not enough to ſupply the vacancy of three hundred Senators, and other officers, p. 212. From U. C. CCCXXXIII,

CCCXXXIII. when four Quæſtors were appointed, Plebeians were admitted, but not actually choſen till CCCXLIV, p. 215. The office did not give, as Dr. M. aſſerts, an immediate entrance into the Senate, p. 235. though he had a fair title to be put on the Cenſor's roll to be choſen, as appears from Val. Maximus, p. 237. But no proof of their gaining admittance into the Senate in the early times of the Commonwealth; though had it in the latter times, 240.

Rollin cenſured for ſaying Servius Tullius transferred the power of the government into the hands of the Nobles, p. 187.

Rome. Its territories at firſt not above five or ſix miles in extent, according to Strabo, p. 86. Government of it at firſt hereditary; but Romulus dying without children, Numa Tullius Hoſtilius and Ancus Marcius ſucceeded by election, 92, 93.

Siécle ſeems to be uſed by Earl Stanhope, not for a century, but for a generation, which brings the end of his difficulties to the 172d of the Republic, U. C. 416. p. 2. note.

Senate, firſt time open to the Plebeians, U. C. 416, as ſome falſely think, when they had acceſs to the Prætorſhip, p. 2. According to Dionyſius, conſiſted of c members made by Romulus; afterwards under the union of Romulus and Tatius c Sabine members added; and c Albans under Tullus Hoſtilius, p. 11. If we may credit Livy, i. c. 17. 30. conſiſted only of a hundred to the time of Tullus Hoſtilius, p. 46. Uncontradicted by all Latin Hiſtorians, p. 47. Augmented to ccc under Brutus after the Regifuge, as Pighius underſtands the words of Livy, which cannot be reconciled with Dionyſius, p. 55, note. Vacancies in it ſupplied by the King during the regal ſtate, to which power the Conſuls ſucceeded, after them the Cenſors, according to Voltaire, p. 12, 13. 15. who yet inconſiſtently aſcribes that power under the Conſular ſtate to the people, on the miſtaken authority of Cicero and Livy, p. 13. 120. Originally the King choſe all the magiſtrates, ſo likewiſe the Senate, p. 116. In the three firſt inſtances of filling up the Senate, each was done in a different way, and not one of them in an aſſembly of the people voting by Curiæ, p. 141. As the Curule officers had ſeats in the Senate after the expiration of their office, as well as during their magiſtracies; and thoſe officers were choſen by the people; hence the Senate was ſaid to be choſen by the people, *deligerentur ab univerſo populo*,

&

& jussu populi, in Livy, as Vertot thinks, p. 14. 17. Chosen by Servius Tullius out of the Knights, p. 54, note; and by Brutus likewise, p. 56, 57, *jussu populi*, Liv. ii. 1. *ab universo populo*, i. e. *ex*, (Cic. pro Sextio) what it means, p. 57. Many of the Knights chosen Senators poor, because there had been no Census during the reign of Tarquin, p. 54. Many of which Knights were Plebeians, proved from the speech of Canuleius, U. C. 308, p. 59, note; and many Patricians, ibid. Licinius Calvus a Plebeian Senator, U. C. 343, p. 42. CLXIV Plebeian Senators chosen at the time of the Regifuge, *propter inopiam Patriciorum*, 34, 49. 51. 52. 54. 204; but taken out of the Equestrian order, which consisted of Plebeians and Patricians, p. 222. who were called *Patres Conscripti*, being a new corps, there being not enough of the old corps to form a proper assembly, 55. No proof that Plebeians were ever incapable by law of being Senators, 38. 46. Vertot supposes that the Kings soon ceased to confine themselves to the first Patrician families for Senators, but admitted Plebeians, having first made them Patricians, p. 18. Livy calls the Senators made by Tarquinius Priscus *minorum gentium patres*, by which possibly is meant only *Senators of the younger creation*, p. 23. Their descendants were probably *Patricii minorum gentium*, as the descendants of Romulus's were *Patricii majorum gentium*, p. 24. U. C. 260, many young men in the Senate, when a Senatorian age was threatened to be appointed, p. 67. Dr. Middleton's supposed gradation did not afford sufficient supply for the Senate, p. 214. Impossible to be observed during the first century after the Commonwealth, p. 215. Had the Senate been supplied by Tribunes and Plebeian Ædiles from the time they were instituted, there must have been, U. C. 386, when the contest about Plebeian Ædiles was agitated, a great majority of Plebeians, p. 318. Senators not chosen indirectly by the people, as the Doctor maintains, p. 220. Examples produced by Dr. M. of filling up the Senate, from the expulsion of the Kings to the creation of Censors, p. 204. Excluded from voting in the *Comitia Tributa*, 223; but see Varro, l. iii. 4. and Gruch. de Com. p. 707. Its being filled with CCC new members from the Equestrian rank by Sylla, at the choice of the people, no proof of the people's ancient right, p. 225. If chosen by the people, imagined to be chosen in the Comitia Centuriata by Manutius, and in Comitia Curiata by Zamolscius; but they give no proof that they

they were choſen by the people at all, p. 231, 232. Only the Curule magiſtrates had a right to be choſen by the Cenſors at the next luſtrum into the Senate, p. 234; therefore Tribunate, Quæſtorſhip, and Ædileſhip did not give ſuch a right, p. 234. *Senatores pedarii*, Senators called ſo from their occaſionally *dividing* in the houſe, without voting, of what rank ſoever they were, p. 238. Laws ſometimes paſſed by the Tribunes without a previous order of the Senate, p. 288. 286.

Servius Tullius, whoſe plan was the foundation of the Roman Republic, a ſummary view of his reign, p. 139. & ſeqq. Relinquiſhed the right of trying cauſes to the Senate, preſcribing them laws by which they were to govern their deciſions, p. 103. 110. Increaſes the diſaffection of the great, by dividing the conquered lands to the people, p. 146. Reaſons why the Senate connived at Servius Tullius poſſeſſing himſelf of the kingdom on the death of Tarquinius Priſcus, p. 146. 140. Could not reign 44 years as is ſuppoſed, p. 150. 152. 157. Did not exert himſelf to eſtabliſh the Patrician intereſt, p. 182, 183; nor conſequently to eſtabliſh an Ariſtocracy, but a Democracy, p. 187.

Spelman, in his Diſſertation, &c. gives to all magiſtrates, *non-curule* as well as *curule*, the dignity of being Senators during their office, p. 74. Maintains that they ceaſed to be ſo after the expiration of their office till put on the roll by the Cenſors, p. 75. The Curule magiſtrates, viz. Conſuls, Prætors, Cenſors, and Curule Ædiles, between the expiration of their office and the next call of the Senate, had a right of coming into the houſe and delivering their *opinion*, but not *voting*, p. ibid. But Tribunes, Ædiles, and Quæſtors, had not ſuch right, ibid. Thoſe who were completely Senators might be Conſuls or Cenſors, the Cenſors being not obliged to put them on the roll when their office was expired, p. 74. When the annual officers did not ſupply a ſufficient number of Senators, the *people* choſe ſome promiſcuouſly from the Plebeians, p. 76. Cites Dionyſius for this wrongfully, p. 35.

Stanhope, Earl. His query concerning the admiſſion into the Senate cannot relate to more than from the commencement of the republic to the 172d year of it, U. C. 416, p. 2.

Taylor, Dr. conſiders the Roman ſtate as purely Democratical even under the Kings, p. 98.

Tribes,

Tribes, no general diviſion of the people till xx years, U. C. 282, after the affair of Coriolanus, 265, note. Vol. I. 230.

Tributa comitia, the Patricians excluded from them, p. 293, note *a*, and Vol. I. p. 234; but contradicted by Spelman, Diſſert. p. 8.

Tribunes, from the firſt inſtitution, U. C. 260, admitted into the Senate, where they were allowed by their word VETO to put a negative to any law; but in no other reſpect were by virtue of their office members of that houſe, p. 37, nor admitted as ſuch within two years after their firſt creation, as Dr. M. aſſerts, p. 65. 216. not even in U. C. 308, nor U. C. 386. p. 217, note. Expreſſly no right till the Aſinium Plebiſcitum, U. C. 263, p. 251; and proved from their being re-choſen Tribunes, which could not be if they had been Senators before, ibid. Only two Tribunes till the year U. C. 283, from which time there were five, and then firſt choſen by the Comitia Tributa, p. 206, note. By treaty, U. C. 262, no Senator to be choſen Tribune, p. 219, note. From U. C. 260, when the Tribunes and Ædiles were firſt inſtituted, to U. C. 282, they were elected in the aſſemblies of the Curiæ, p. 323. After U. C. 282, elected in Comitia Tributa, ibid. Neither Tribunes nor Ædiles elected, but Plebeians only, p. 223.

Vertot falſely attributes the election of Senators in the Commonwealth wholly to the people, p. 13. Miſtakes the ſenſe of Livy, and without grounds aſſerts that Tarquin was obliged to the Plebeians for his election, p. 27; and that they were obliged to be Patricians before they were Senators, ibid. Says that the portion of land of each citizen was at firſt two acres, and no more, p. 87, note. Miſtaken in aſcribing to the Curiæ under the regal ſtate the power of declaring war or peace, and even of miniſtering juſtice, p. 111.

Valerius Maximus, aſſerts without foundation that Servius Tullius held four luſtrums, p. 150. 152.

War, a decree for it made by the Senate, not ſubmitted to the people to be ratified, though it was declared in their name, p. 111, 112. 194.

Zamolſcius conjectures, that if the Senators were directly choſen by the people, it was in the Comitia Curiata, p. 231.

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